

FOR IMMEDIATE RELEASE: August 18, 2016
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New rule establishes minimum standards for supervision of physician assistants

DES MOINES, IA – The Iowa Board of Medicine has adopted a new administrative rule to provide more guidance to physicians who supervise physician assistants.

The rule, which establishes minimum standards for appropriate supervision, reinforces that while a supervising physician will be held accountable for the care of a patient diagnosed and treated by a physician assistant, the supervising physician does not have to be continually present when a physician assistant performs the delegated medical services.

The rule emphasizes key elements for successful collaboration on patient care delivered by the physician and physician assistant and it complements other existing supervisory requirements defined in the Iowa Administrative Code.

A physician who agrees to supervise a physician assistant must review the requirements of physician assistant licensure and regulation and must assess the education, training, skills and experience of the physician assistant before delegating medical services. The rule requires the supervising physician to be available for timely consults with the physician assistant and to conduct and document an ongoing review of a representative sample of the physician assistant's patient charts.

A physicians who supervises a physician assistant in remote clinics where the physician is present less than 50 percent of the time is required to meet with the physician assistant at least twice a year to assess and discuss the medical services provided by the physician assistant. This on-site review and consultation is in addition to 26 biweekly visits required by the physician who supervises a physician in a remote clinic.

A physician assistant in Iowa cannot practice without a supervisory relationship with a physician. Questions about what constitutes appropriate supervision have persisted since the 1980s when the licensure and regulation of physician assistants was moved from the Board of Medicine to a new Board of Physician Assistants.

The uncertainty about supervisory standards has caused confusion among health care systems and patients about the responsibilities and the accountabilities of both the physician and the

physician assistant. In addition, physicians have expressed reluctance to supervise physician assistants due to this ambiguity.

Approximately 17 percent of physicians practicing in Iowa report supervising at least one physician assistant. Since 2012, a physician has been allowed to supervise up to five physician assistants at the same time.

The Legislature in 2015 directed the Boards of Medicine and Physician Assistants to address the supervisory ambiguity by jointly establishing specific minimum standards or a definition of supervision.

Earlier this year, subcommittees of both boards reached consensus on a rule establishing specific minimum standards for appropriate supervision and this rule was subsequently adopted by the Board of Medicine and became effective on June 15. The Board of Physician Assistants has initiated rulemaking with the same language, but has yet to adopt a rule.

The following is the Board of Medicine's new rule:

653—21.4(147,148,148C,272C,86GA,SF505) Specific minimum standards for appropriate supervision of a physician assistant by a physician. This rule establishing the minimum standards for appropriate supervision of a physician assistant by a physician in the state of Iowa is hereby jointly adopted by the board of medicine and the board of physician assistants in accordance with 2015 Iowa Acts, Senate File 505, division XXXI, section 113.

21.4(1) Definitions.

“Remote medical site” means a medical clinic for ambulatory patients which is away from the main practice location of a supervising physician and in which a supervising physician is present less than 50 percent of the time the remote medical site is open. “Remote medical site” will not apply to nursing homes, patient homes, hospital outpatient departments, outreach clinics, or any location at which medical care is incidentally provided (e.g., diet center, free clinic, site for athletic physicals, jail facility).

“Supervision” means that a supervising physician retains ultimate responsibility for patient care, although a physician need not be physically present at each activity of the physician assistant or be specifically consulted before each delegated task is performed. Supervision shall not be construed as requiring the physical presence of the supervising physician at the place where such services are rendered except insofar as the physical presence is expressly required by these rules or by Iowa Code chapter 148C.

21.4(2) Minimum standards. The following are minimum standards for appropriate supervision of a physician assistant by a physician in the state of Iowa:

a. Review of requirements. Before a physician can supervise a physician assistant practicing in Iowa, both the supervising physician and the physician assistant shall review all of the requirements of physician assistant licensure, practice, supervision, and delegation of medical services as set forth in Iowa Code section 148.13, Iowa Code chapter 148C, this chapter, and 645—Chapters 326, 327, 328 and 329.

b Face-to-face meetings. At least one supervising physician shall meet face-to-face with each physician assistant a minimum of twice annually. If the physician assistant is practicing at a remote site, both meetings shall be at the remote site. Each party shall ensure that the face-to-face meetings are documented. The meetings are for the purpose of discussing topics deemed appropriate by the physician or the physician assistant, including supervision requirements, assessment of education, training, skills, and experience, review of delegated services, and medical services provided by the physician assistant.

c. Assessment of education, training, skills, and experience. Each supervising physician and the physician assistant shall ensure that the other party has the appropriate education, training, skills, and relevant experience necessary to successfully collaborate on patient care delivered by the team.

d. Communication. Each supervising physician and the physician assistant shall communicate and consult on medical problems, complications, emergencies, and patient referrals as indicated by the clinical condition of the patient.

e. Chart reviews. Each supervising physician shall conduct and document an ongoing review of a representative sample of the physician assistant's patient charts encompassing the scope of the physician assistant's practice provided under the physician's supervision and discuss the findings of the reviews with the physician assistant.

f. Delegated services. The medical services and medical tasks delegated to and provided by the physician assistant shall be in compliance with 645—subrule 327.1(1). All delegated medical services shall be within the scope of practice of the supervising physician and the physician assistant. The supervising physician and the physician assistant shall have the education, training, skills, and relevant experience to perform the delegated services prior to delegation.

g. Timely consultation. The supervising physician shall be available for timely consultation with the physician assistant, either in-person or by telephonic or other electronic means.

h. Alternate supervision. If the supervising physician will not be available for any reason, an alternate supervising physician will be available to ensure continuity of supervision. The physician will ensure the alternate supervising physician is available for a timely consult and will ensure the physician assistant is notified of the means by which to reach the alternate supervising physician. The physician assistant shall not practice if supervision is not available.

i. Failure to supervise. Failure to adequately direct and supervise a physician assistant or failure to comply with the minimum standards of supervision in accordance with this chapter, Iowa Code chapter 148C, Iowa Code section 148.13, and 645—Chapters 326, 327, 328 and 329 may be grounds for disciplinary action for both the physician and the physician assistant.

21.4(3) Amendment. Rule 653—21.4(147,148,148C,272C,86GA,SF505) may only be amended by agreement of the board of medicine and the board of physician assistants through a joint rule-making process. This subrule is effective on June 15, 2016, or upon adoption of an identical subrule by the board of physician assistants, whichever is later.

21.4(4) Joint waiver or variance. Rule 653—21.4(147,148,148C,272C,86GA,SF505) may only be waived upon approval by both the board of medicine and the board of physician assistants pursuant to 653—Chapter 3 and 645—Chapter 18, Iowa Code section 17A.9A, or any other provision of law. This subrule is effective on June 15, 2016, or upon adoption of an identical subrule by the board of physician assistants, whichever is later.